REMARKS

This amendment and remarks are submitted in response to the Office Action dated May 13, 2005.

Amendments to the Claims

Claim 1: Independent claim 1 has been amended to more clearly recite the system of the invention. More specifically, the phrase – **a computer program including a formatting source code for producing an output in a first format** – has been added to claim 1. Several "the" articles have been replaced with the more traditional – **said** – for clarity. The term "outputs" has been replaced with the phrase – **said output** –. Also, the phrase "such that format can be changed by coordinated alternation of said input data text file and said recipe text file" has been replaced with the phrase – **without modifying said source code** – in order to more clearly recite the invention.

Claim 3: Similar amendments have been made to independent claim 3, in order to more clearly recite the method of the present invention. The phrase – **providing a computer program including a formatting source code for producing an output in a first format** – has been added to claim 3. Several "the" articles have been replaced with the more traditional – **said** – for clarity. The term "outputs" has been replaced with the phrase – **said output** –. The phrase – **in response to said first request** – has been added. Also, the phrase – **without modifying said source code** – has been added.

In the next section of claim 3, beginning with the step of modifying said recipe text file, the phrase – **at least some of said modified formatting descriptions indicating a link to one or more of said plurality of name/value pairs** – has been added for clarity. The phrase "second request" has been replaced with – **subsequent request** – which is used thereafter. The term "outputs" has been replaced with the phrase – **said output** –. The phrase – **in response to said subsequent request** – has been added. Also, the phrase – **without modifying said source code** – has been added.

Dependent Claims: In dependent claims 2 and 11-15, the phrase "said outputs" has been replaced with – **said output** – in order to refer back to the term as used in independent claim 1. Similarly, in dependent claims 7-10, the phrase "said outputs" has been replaced with – **said output** – in order to refer back to the term as used in independent claim 3.

New Claims: New, dependent claims 16-17 are supported by the disclosure in the specification. Claim 16 recites system elements that correspond generally to the steps set forth in the second half of independent method claim 3. Claim 17 corresponds generally to method claims 2 and 5. Claim 18 corresponds generally to method claim 4.

New claims 19-28 recite an executable software product comprising a recipe text file and an execution module, as disclosed in the specification.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 1, 3, and 4, under Section 102(b), as being anticipated by U.S. Patent 5,835,712 issued to *DuFresne*. To anticipate a claim, the cited reference must teach every element of the claim. *See* MPEP 2131; *Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

DuFresne processes a plurality of dynamic tag extensions in an HTML source template, replaces each tag extension with a corresponding value retrieved from a database, and displays the values according to the source template.

The claimed invention, as amended, is not anticipated by *DuFresne* for several reasons, including the following two differences.

First, the system disclosed DuFresne includes only one executable computer program. *DuFresne* has no effect on the output of a separate computer program that has its own formatting source code. In contrast, the claimed invention, as amended, operates in conjunction with "a computer program including a formatting source code for producing an output in a first format"

and the claimed invention produces said output "in a second format." *DuFresne* does not disclose or teach a system for operating in conjunction with another computer program, nor does it disclose or teach a system for changing the format imposed by the other computer program.

Second, the *DuFresne* system modifies the source template when it replaces each tag extension with the corresponding value retrieved from a database. By processing the tag extensions, the processor in *DuFresne* changes the source template that will be executed when a user runs his browser software. In contrast, the claimed invention does not modify the source code. The claimed invention changes the format of the output (from a first format to a second format) "without modifying said source code" of another computer program. *DuFresne* does not disclose or teach a system for changing the format of an output without modifying the source code of the program that generates the output.

Also, the method of dependent claim 4 is not disclosed or taught in *DuFresne*. Assuming for the sake of argument that the values in the database are considered similar to the input data text file, *DuFresne* does not disclose or teach a method of modifying the database itself to include modified values. *DuFresne* merely executes the step of replacing a tag extension with a corresponding value retrieved from a database.

DuFresne does not disclose an identical invention to the one claimed in the present application. Because *DuFresne* does not teach or disclose every element recited in the claims, as amended, the claims are not anticipated.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 2 and 5, and claims 6-15, under Section 103(a), on the grounds that the invention as claimed is obvious in light of *DuFresne* and U.S. Patent 6,394,354 issued to *Wilz, Sr., et al.* In general, a proper rejection under 35 U.S.C. § 103(a) requires that: (1) the prior art references teach or suggest all of the features of the claimed invention; (2) there is some suggestion or motivation to modify or combine the prior art references; and, (3) there is a

reasonable expectation of success in combining the prior art references. *See* MPEP 2142; *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

The Applicants disagree with the Examiner's assertion that dependent claims 6-15 recite well known modifications and variations. Dependent claims 2 and 5, 6-8, and 11-13, recite novel and non-obvious systems and methods for producing labels or reports, on a printer or in electronic format. Dependent claims 9-10 and 14-15 recite the use of a composite artifact and an artifact modifier in the method and system for rendering an output. None of the cited references, including *DuFresne* and *Wilz*, either alone or in combination, teach or suggest the use of a composite artifact or an artifact modifier as claimed.

Wilz adds only a label-printing aspect to the teachings of *DuFresne*. Accordingly, the combination of *DuFresne* and *Wilz* does not teach or suggest a system for changing the format of the output of a computer program without modifying its source code, to produce a label or a report, as claimed in dependent claims 2 and 5.

Moreover, with respect to the independent claims 1 and 3, the combination of *DuFresne* and *Wilz* does not teach or suggest a system for changing the format of the output produced by another computer program without modifying the source code of the program. Without any teaching or suggestion of those elements in *DuFresne* and *Wilz*, either alone or in combination, the references would not provide the basis for a *prima facie* obviousness rejection of the claimed invention, as amended.

CONCLUSION

After entry of the requested amendment, claims 1-28 are pending in the application. In light of this amendment and the remarks presented, the Applicant respectfully submits that all the claims of the application are patentable.

The undersigned is available at (404) 881-7821 if the Examiner has any questions or requests that may be resolved by telephone in order to expedite the examination of this application.

The Applicants submit herewith a Request for Continued Examination (RCE) and a Petition and Fee for a One-Month Extension of Time. The Applicants do not believe any other requests for extension of time or fees are required, beyond those provided for in documents accompanying this paper. In the event, however, that additional extensions of time are necessary to allow the consideration of this paper, such extensions are hereby petitioned-for under 37 C.F.R. § 1.136(a) and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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I hereby certify that this paper is being transmitted by facsimile to (571) 273-8300 at the U.S. Patent and Trademark Office on this, the 12th day of September, 2005.

Shana Moore

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